

REMARKS/ARGUMENTS

Applicants have amended Claims 1, 9, 13 and 18. No new matter was introduced by these amendments. Claims 1-13 and 15-18 remain in this application. Applicants request reconsideration of this application in view of the above amendments and these remarks and arguments.

Claim Rejections – 35 USC § 112

The Examiner has rejected Claim 18 under 35 U.S.C. 112, second paragraph, stating that the terms “transmission channel mask” and “index output value” are indefinite because the specification does not clearly define the terms. Applicants have amended Claim 18 to remove these phrases thereby rendering moot the Examiner’s §112 rejections of Claim 18. Applicants therefore request that the Examiner remove the rejections to Claim 18 under 35 U.S.C. 112.

Claim Objections

The Examiner has objected to Claim 10 as having subject matter that is redundant to what is included in Claim 9. Applicants’ amendments to Claim 9 render moot the Examiner’s objection to Claim 10.

The Examiner has objected to Claim 1 requesting that the language “first order” be changed to “first predetermined order” to maintain consistency in the claim language. Applicants have amended Claim 1 in the manner suggested by the Examiner.

The Examiner has objected to Claim 9 requesting that the language “a storage medium” on line 8 be changed to “the storage medium” if it is the same storage medium from earlier in the claim. Applicants have amended Claim 9 in the manner suggested by the Examiner.

Claim Rejections – 35 USC § 103

The Examiner has rejected Claims 1-5, 9, 10, 12, 13 and 15 under 35 U.S.C. 103(a) as being unpatentable over Wang, et al. (USPN 5,883,929). Applicants traverse these rejections. Applicants submit that amended Claims 1 and 9 are patentable over the Wang reference because limitations from these amended claims are missing from the Wang reference as explained below.

Applicants have amended Claims 1 and 9 to clearly reflect that the present invention allows direct determination (in a receiving device) of a predetermined portion of data stored on a source device (tag) that was used by the tag transmitter to select a code channel (or code phase) for the tag to send its transmissions. This direct determination is indicated at a plurality of output bins, wherein each output bin has an index value that directly matches the predetermined portion of stored data, without any further permutations or re-ordering as is required by the prior art methods. Paragraphs [0113] and [0127] (as well as Figs. 11 and 15) in the present application further describe these direct determination characteristics or methods. Claim 9 has been further amended to reflect that the state machine included in the receiver device and the transmitter linear feedback shift register (LFSR) included in each tag cycle through the same known state sequence (since they have the same initial state and basic LFSR generator structure, as discussed in Paragraph [0113] and shown in Fig. 11), which facilitates the direct determination of the transmit code phase (or code channel) applied in the transmitter, as described above.

Wang, et al. fails to disclose any requirements (e.g., on transmit code channel selection, transmitter or receiver initial conditions, or otherwise) for the direct determination of the transmit code channels (or code phases) claimed in Claims 1 and 9. The correlations performed in Wang, et al. are only examined for their magnitude and relative times of occurrence (see Fig. 12 and Col. 13, lines 3-13), not for which transmit code channel or code phase to which they correspond. Wang, et al. fails to disclose any direct determination method using a single re-ordering sequence based on known initial transmitter LFSR states, as claimed in Claim 9. Wang et al. also fails to disclose any

method for linking portions of the stored data to the transmit code channel (code phase) selection, as claimed in Claims 1 and 9 of the present Application. In fact, Wang, et al. fails to discuss any details regarding the actual determination of their re-ordering sequence in practice (e.g., whether based on different sequence lengths, numbers of transmission channels, generator polynomials, or initial transmitter states). Thus, Wang's invention cannot achieve the above described direct determination in the receiver device of the code channel (code phase) used in the source device(s). Even the combination of Wang, et al. and Popovic does not teach or suggest the direct determination of predetermined portions of stored data used to select code channels (code phases) as recited in Claims 1 and 9. Popovic also requires additional permutations to arrive at the desired output values (see Popovic Col. 10, line 7).

Therefore, since limitations are missing from Claims 1-5, 9, 10, 12, 13 and 15, Applicants request that the Examiner remove the 103(a) rejections based on the Wang, et al. reference and allow these claims to proceed to allowance.

The Examiner has further rejected: Claims 6-8, 11 and 17 under 35 U.S.C. 103(a) as being unpatentable over Wang, et al. in view of Popovic (USPN 6,091,761); and Claim 16 under 35 U.S.C. 103(a) as being unpatentable over Wang, et al. in view of Lebedz, et al. (USPN 5,251,233). Applicants believe that Claims 6-8, 11 and 16-17 are allowable for the same reasons above with respect to amended Claims 1 and 9. Therefore Applicants, likewise, request that the Examiner remove the 103(a) rejections based on the Wang, et al., Popovic and Lebedz, et al. references and allow these claims to proceed to allowance.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Respectfully submitted,

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